

Article 2: General Development Regulations

Division 4: Landscape Regulations

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§142.0401 Purpose of Landscape Regulations

The purpose of these regulations is to minimize the erosion of slopes and disturbed lands through revegetation; to conserve energy by the provision of shade trees over *streets*, sidewalks, parking areas, and other paving; to conserve water through low-water-using planting and irrigation design; to reduce the risk of fire through site design and the management of flammable vegetation ; and to improve the appearance of the built environment by increasing the quality and quantity of landscaping visible from *public rights-of-way*, private streets, and adjacent properties, with the emphasis on landscaping as viewed from *public rights-of-way*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§142.0402 When Landscape Regulations Apply

- (a) This division applies to all proposed planting and irrigation work.
- (b) Table 142-04A provides the applicable regulations and type of permit required by this division for the landscaping required in conjunction with the specific types of *development* proposals. Any project that proposes more than one of the types of *development* shown is subject to all of the regulations for each type of *development*.

Table 142-04A
Landscape Regulations Applicability

Type of Development Proposal			Applicable Regulations	Required Permit Type/ Decision Process
Column A	Column B	Column C		
1. New structures that equal or exceed the gross floor area shown (Column B), and are located in the zone or are proposing the use category shown (Column C)	Gross floor area (in square feet)	Zone or Proposed Use Category		
	1,000 sf	RM or Commercial Zones; or <i>Multiple Dwelling Unit</i> Residential use subcategory or <i>Commercial Development</i>	142.0403-142.0407, 142.0409, and 142.0413	Building Permit/ Process One
	5,000 sf	Industrial Zones; or <i>Industrial Development</i>	142.0403-142.0407, 142.0409, and 142.0413	Building Permit/ Process One
2. Additions to structures or additional structures on developed properties that exceed the gross floor area shown or that increase the gross floor area by the percent shown (Column B), and are located in the zone or are proposing the category of use shown (Column C)	Gross floor area or Percent Increase in gross floor area (in square feet or percentage of lot area)	Zone or Proposed Use Category		
	1,000 sf or 20 percent increase	<i>Multiple Dwelling Unit</i> Residential Zones or use subcategory	142.0403-142.0407, 142.0409, 142.0410(a), and 142.0413	Building Permit/ Process One
	1,000 sf or 10 percent increase	Commercial Zones; or <i>Commercial Development</i>	142.0403-142.0407, 142.0409, 142.0410(a), and 142.0413	Building Permit/ Process One
	5,000 sf or 20 percent increase	Industrial Zones; or <i>Industrial Development</i>	142.0403-142.0407, 142.0409, 142.0410(a), and 142.0413	Building Permit/ Process One

(6-2007)

Type of Development Proposal		Applicable Regulations	Required Permit Type/ Decision Process
3.	New permanent parking and <i>vehicular use area</i> for four or more vehicles including access to the spaces, excluding parking for <i>single dwelling unit</i> uses on a single lot in <i>single dwelling unit</i> zones	142.0403, 142.0406-142.0409, and 142.0413	Building Permit/ Process One
4.	New temporary parking and <i>vehicular use area</i> for four or more vehicles including access to the spaces, excluding parking for <i>single dwelling unit</i> uses on a single lot in <i>single dwelling unit</i> zones	142.0403, 142.0408, 142.0409, and 142.0413	Building Permit/ Process One
5.	Additions or modifications to existing permanent or temporary parking and <i>vehicular use area</i> that increase the number of parking spaces by four or more	142.0403, 142.0408, 142.0409, 142.0410(b), and 142.0413	Building Permit/ Process One
6.	<i>Single dwelling unit</i> residential use projects proposing new private or <i>public rights-of-way</i>	142.0403, 142.0409, and 142.0413	Building Permit/ Process One
7.	Projects proposing slopes with gradients steeper than 4:1 (4 horizontal feet to 1 vertical foot) that are 5 feet or greater in height	142.0403, 142.0411, and 142.0413	Building Permit/ Process One
8.	Projects creating disturbed areas of bare soils, or projects with existing disturbed areas	142.0403, 142.0411, and 142.0413	No permit required by this division
9.	All City owned property, dedicated in perpetuity for park or recreation purposes, within 100 feet of a structure.		No permit required by this division if work is performed in accordance with applicable regulations
10.	Undeveloped public or private <i>premises</i> , within 100 feet of a <i>structure</i> , that contain native or naturalized vegetation or <i>environmentally sensitive lands</i>	142.0403, 142.0412, and 142.0413	No permit required by this division if work is performed in accordance with applicable regulations
11.	New trees or shrubs planted in the <i>public right-of-way</i>	62.0603, 129.0702 142.0403 and 142.0409	<i>Public Right-Of-Way</i> Permit or Street Tree Permit/ Process One
12.	<i>Condominium Conversions</i>	142.0403, 142.0404, 142.0405(b)(1), 142.0409(a), 142.0412, And 142.0413	<i>No permit Required by this division</i>

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 9-19-2005 by O-19413 N.S.; effective 10-19-2005)

(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

(Amended 7-5-2006 by O-19505 N.S.; effective 8-5-2006.)

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§142.0403 General Planting and Irrigation Requirements

All planting, irrigation, brush management, and landscape-related improvements required by this division must comply with the regulations in this section and with the Landscape Standards in the Land Development Manual.

(a) Plant Point Schedule

Table 142-04B assigns plant points based on plant type and size and applies where plant points are required by this division.

**Table 142-04B
Plant Point Schedule**

Proposed Plant Material		Plant Points Achieved per Plant
Plant Type	Plant Size	
Proposed Shrub	1-gallon	1.0
	5-gallon	2.0
	15-gallon or larger	10.0
Proposed Dwarf Palm	Per foot of brown trunk height	5.0
Proposed Tree	5-gallon	5.0
	15-gallon	10.0
	24-inch box	20.0
	30-inch box	30.0
	36-inch box	50.0
	42-inch box	70.0
	48-inch box and larger	100.0
Proposed Broad Headed Feather Palm Tree	Per foot of brown trunk height	5.0
Proposed Feather Palm Tree	Per foot of brown trunk height up to 20 feet in height	3.0
	each feather palm tree over 20 feet in height	60.0
Proposed Fan Palm Tree	Per foot of brown trunk height up to 20 feet in height	1.5
	each fan palm tree over 20 feet in height	30.0

Existing Plant Material		Plant Points Achieved per Plant
Plant Type	Plant Size	
Existing Shrub	12-inch to 24-inch spread and height	4.0
	24-inch and larger spread and height	15.0
Existing Native Tree	2-inch caliper measured at 4 feet above <i>grade</i>	100.0
	each additional inch beyond 2 inches	50.0
Existing Non-Native Tree	2-inch caliper measured at 4 feet above <i>grade</i>	50.0
	each additional inch beyond 2 inches	25.0
Existing Broad Headed Feather Palm Tree	Per foot of brown trunk height	5.0
Existing Feather Palm Tree	Per foot of brown trunk height up to 20 feet in height	3.0
	each feather palm tree over 20 feet in height	60.0
Existing Fan Palm Tree	Per foot of brown trunk height up to 20 feet in height	1.5
	each fan palm tree over 20 feet in height	30.0

(b) Plant Material Requirements

- (1) Planting of invasive plant species, as described in the Landscape Standards of the Land Development Manual, is not permitted.
- (2) All existing, invasive plant species, including vegetative parts and root systems, shall be completely removed from the *premises* when the combination of species type, location, and surrounding environmental conditions provides a means for the species to invade other areas of native plant material that are on or off of the *premises*.
- (3) Plant material species shall be used that will continue to meet the requirements of this division after installation.
- (4) Tree locations shall be measured horizontally from the centerline of the tree trunk at *proposed grade*.
- (5) A minimum root zone of 40 square feet in area shall be provided for all trees. The minimum dimension for this area shall be 5 feet. This minimum dimension and root zone area may be reduced where the combination of soil conditions, root zone area, adjacent improvements, and selected tree species can be demonstrated to provide conditions for healthy tree growth that will not damage adjacent improvements.
- (6) Plant material shall be maintained in a healthy, disease-free, growing condition at all times.
- (7) All pruning shall comply with the standards of the National Arborist Association.

- (8) Any plant material required by this division that dies within 3 years of installation shall be replaced within 30 calendar days of plant death with the same size and species of plant material shown on the approved plan. Required shrubs that die 3 years or more after installation shall be replaced with 15-gallon size, and required trees that die 3 years or more after installation shall be replaced with 60-inch box size material. The City Manager may authorize adjustment of the size and quantity of replacement material where material replacement would occur in inaccessible areas or where the existing plant being replaced is larger than a 15 gallon shrub or 60-inch box tree.
 - (9) Trees required by this division shall be self-supporting, woody plants with at least one well defined trunk and shall normally attain a mature height and spread of at least 15 feet.
 - (10) Trees required by this division shall be maintained so that all branches over pedestrian walkways are 6 feet above the walkway *grade* and so that all branches over vehicular travel ways are 16 feet above the *grade* of the travel way.
 - (11) Shrubs required by this division shall be woody or perennial plants that are low branching or have multiple stems.
 - (12) Tree root barriers shall be installed where trees are placed within 5 feet of *public improvements* including walks, curbs, or *street* pavement or where new public improvements are placed adjacent to existing trees. The City Manager may waive this requirement where the combination of soil conditions, root zone area, adjacent improvements, and selected tree species can be demonstrated to provide conditions for healthy tree growth that will not damage public improvements.
 - (13) Native plants shall be locally indigenous.
 - (14) Naturalized plant material shall be plantings that can survive without irrigation after initial plant establishment.
- (c) Irrigation Requirements
- (1) All required plant material shall be irrigated with a permanent, below-grade irrigation system unless specified otherwise in this division.
 - (2) All required irrigation systems shall be automatic, electrically controlled, and designed to provide water to all required plantings to maintain them in a healthy, disease-resistant condition.
 - (3) Irrigation systems shall meet the following design requirements:
 - (A) No irrigation runoff or overspray shall cross *property lines* or paved areas;

- (B) The velocity of water flowing in irrigation system piping or supply pipes shall not exceed 5 feet per second downstream of the water meter;
 - (C) Irrigation systems shall be designed to minimize system maintenance requirement after installation. Above-ground irrigation system equipment that is exposed to potential damage shall be designed to be damage-resistant; and
 - (D) An approved rain sensor shutoff device is required for all systems and a moisture-sensing device that regulates the irrigation system for all lawn areas is required.
- (d) Planting Area Requirements
 - (1) Planting areas required by this division shall consist of the following:
 - (A) Low-growing woody or herbaceous groundcover, turf, shrubs, or trees;
 - (B) Unattached unit pavers, loose organic or inorganic materials, or *hardscape*; or
 - (C) Built improvements including water features, overhead *structures* (such as gazebos, trellis *structures*, etc.), or fixed seating.
 - (2) Planting areas may be counted toward the planting area required by this division if they are greater than 30 square feet in size with no dimension less than 3 feet.
 - (3) All required planting areas shall be maintained free of weeds, debris, and litter.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 9-19-2005 by O-19413 N.S.; effective 10-19-2005.)

EDITORS NOTE: The Land Development Manual includes:

Coastal Bluffs and Beaches Guidelines

Biology Guidelines

Historical Resources Guidelines

Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

§142.0404 Street Yard and Remaining Yard Planting Area and Point Requirements

When new *structures* or additions to *structures* are subject to this section in accordance with Table 142-04A, the planting area required and the plants necessary to achieve the number of plant points required in Table 142-04C shall be provided. The required planting area is determined by multiplying the total square footage of the *street yard* or *remaining yard* area on the *premises*, by the percentage shown in Table 142-04C, unless stated otherwise in the table. The required planting points are determined by multiplying the total square footage of the *street yard* or *remaining yard* area on the *premises*, by the points shown in the table. The required planting area and plant points for the *street yard* shall be located within the *street yard*. The required planting area and plant points for the *remaining yard* shall be located within the *remaining yard*.

Table 142-04C
Street Yard and Remaining Yard Planting Requirements

Type of Development Proposal	Type of Yard	Planting Area Required (Percentage of total yard area unless otherwise noted below) ⁽¹⁾	Plant Points Required (Number of plant points required per square foot of total <i>street yard</i> or <i>remaining yard</i> area) or required trees ⁽¹⁾
Single Dwelling Unit Residential Development in RM zones or Multiple Dwelling Unit Residential Development in any Zone	Street Yard	50% ⁽²⁾	0.05 points
	Remaining Yard	40 Square Feet per Tree	For single <i>structures</i> on a single <i>lot</i> , provide a minimum of 60 points, located in the <i>remaining yard</i> ⁽²⁾ For more than one <i>structure</i> on a single <i>lot</i> , provide one tree on each side and in the rear of each <i>structure</i> ⁽²⁾
Condominium Conversion	Street Yard	50% ⁽⁵⁾	0.05 points
	Remaining Yard	N/A	N/A
Commercial Development in any Zone or Industrial Development in RM Zones or Commercial Zones	Street Yard	25% ⁽³⁾	0.05 points to be achieved with trees only ⁽³⁾
	Remaining Yard	30% ⁽³⁾	0.05 points
Industrial Development in any zone other than RM or Commercial Zones	Street Yard	25% ⁽⁴⁾	0.05 points
	Remaining Yard	See Section 142.0405 (d)	0.05 points

Type of Development Proposal	Type of Yard	Planting Area Required (Percentage of total yard area unless otherwise noted below) ⁽¹⁾	Plant Points Required (Number of plant points required per square foot of total <i>street yard</i> or <i>remaining yard</i> area) or required trees ⁽¹⁾
Large retail establishments in any Commercial Zone.	Street Yard	100% ⁽³⁾ of minimum building front and street side setbacks (except access points and with encroachments allowed into the landscaped area for building articulation elements as defined in section 143.0355(a)(b)) 25% of the balance of <i>street yard</i>	0.05 points, exclusive of palms
	Remaining Yard	30% ⁽³⁾	0.05 points
Large retail establishments in any Industrial Zone.	Street Yard	25% ⁽⁴⁾	0.05 points, exclusive of palms
	Remaining Yard	30%	0.05 points

Footnotes to Table 142-04C

- 1 See Section 142.0405(a)
- 2 See Section 142.0405(b)
- 3 See Section 142.0405(c)
- 4 See Section 142.0405(d)
- 5 See Section 142.0405(b)(1)
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 7-5-2006 by O-19505 N.S.; effective 8-5-2006.)
(Amended 6-15-2007 by O-19624 N.S.; effective 7-15-2007.)

§142.0405 Additional Yard Planting Area and Point Requirements

- (a) Additional yard requirements for all *development*:
 - (1) Unless specified otherwise in Table 142-04C, at least one-half of the required planting points shall be achieved with trees.
 - (2) If plants and planting area are provided within a *street yard* or *remaining yard* to meet other requirements of this division, including *vehicular use area* and revegetation requirements, they may be used to satisfy the planting area and plant points required by Table 142-04C.
 - (3) A point score in excess of that required for a yard area may be used to reduce the planting area required for that yard area at a rate of one square foot of area reduction for each excess point provided. The maximum planting area reduction allowed by this section is 25 percent of that total yard area required.

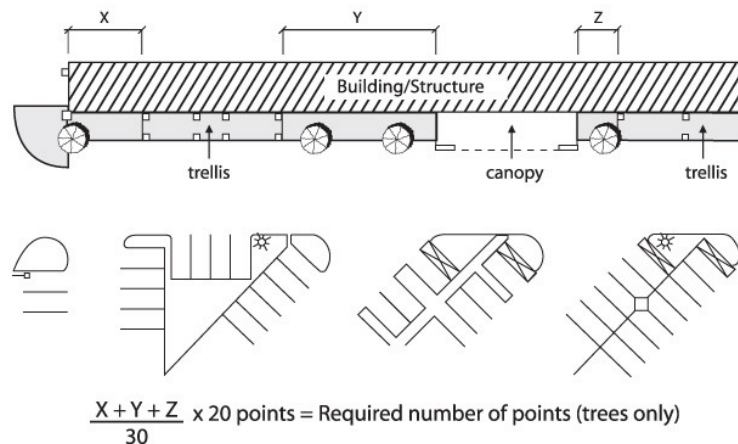
- (b) Additional residential *yard* requirements:
 - (1) *Street Yard*
 - (A) A minimum separation of 5 feet shall be maintained between driveway edges located in the *street yard*.
 - (B) Up to 10 percent of the required *street yard* planting area located outside the *vehicular use area* for RM zones or *multiple dwelling unit* residential uses may consist of *hardscape* or unattached unit pavers.
 - (C) Planting area in the *public right-of-way* is not counted towards fulfillment of the required *street yard* planting area.
 - (2) *Remaining Yard*
 - (A) For projects with only one multi-unit residential building on a *lot*, the *remaining yard* shall be planted with a combination of trees and shrubs to achieve a minimum 60 points. These required plantings shall be located in the *remaining yard* between the *street yard* and any building entrances located on the side of the building.

For all buildings with no side entrances, the points shall be divided equally between each side of the building.
 - (B) For projects with two or more residential buildings on a *lot*, one 24-inch box tree shall be planted on each side and in the rear of each building. A minimum distance of 6 feet shall be provided between any tree and building.
- (c) Additional commercial *yard* and *large retail establishment* requirements:
 - (1) All of the required *street yard* planting area located outside the *vehicular use area* for commercial zones or commercial development except for auto service stations, may consist of *hardscape* or unattached unit pavers. This does not include the minimum planting area required for trees and the planting area necessary to provide for healthy plant growth.
 - (2) For auto service stations, the required *street yard* planting area is 15 percent of the *street yard* area, and the required plant points are 0.03 points for each square foot of the *street yard*.
 - (3) Where commercial *development* abuts a residential zone, a 5-foot wide area along the entire abutting *property line* shall be planted with trees to achieve a minimum of .05 points per square foot of area in addition to the points required in the *remaining yard*.
 - (4) Façade Planting Area for *large retail establishments*. Within the *street yard*, a façade planting area, as shown in Diagram 142-04A shall be

provided between the *vehicular use area* and the *street wall*. This façade planting area shall be planted with a minimum of 20 points (trees only) at a linear rate of 30 feet of building *street wall* wherever trellises, arcades, awnings or extended covered entries do not occur which shall be a minimum of 30 percent of the length of the building *street wall*.

Diagram 142-04A

Façade Planting Area for *Large Retail Establishments*

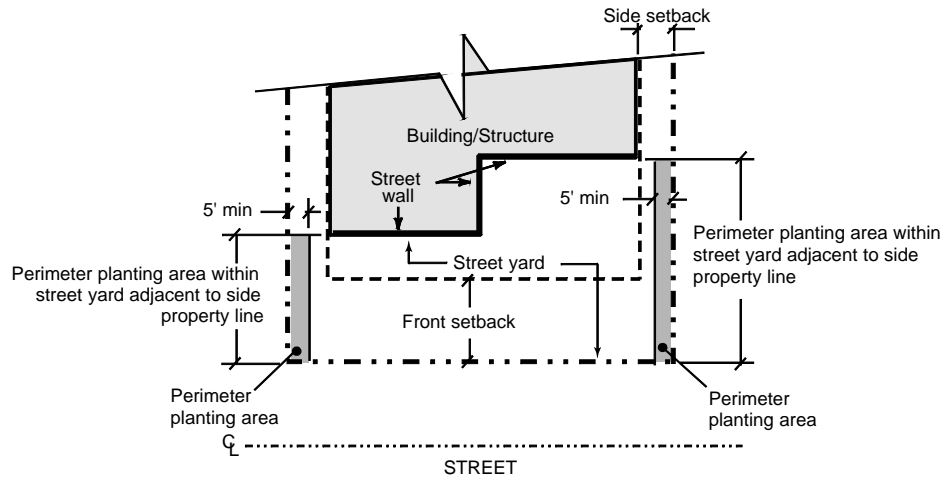


$X + Y + Z = \text{minimum of 30\% of the length of the building street wall}$

- (d) Additional industrial *yard* and *large retail establishment* requirements:
- (1) **Perimeter Planting Area.** Within the *street yard* for industrial zones or industrial *development*, a 5-foot-wide perimeter planting area adjacent to each side *property line*, as shown in Diagram 142-04A, shall be provided for the full depth of the *street yard* except where vehicular access (maximum 25 feet) and pedestrian access (maximum 6 feet) points cross perpendicular to a side *property line*. This planting area shall be planted with a combination of trees and shrubs that achieves 0.2 points per square foot of the required area. Where loading docks are placed along more than 25 percent of the *street wall* length in the IL and IH zones, the perimeter planting area points required shall be increased to 0.5 points per square foot of area.

Diagram 142-04B

Industrial Perimeter Planting Area



- (2) Facade Planting Area. Within the *street yard*, a facade planting area, as shown in Diagram 142-04B, shall be provided that abuts the *street wall* and is at least equal to 50 percent of the length as determined by adding the lines connecting the outermost points of the structure along the street wall as shown in Diagram 142-0C, and that has a width of at least 9 feet measured perpendicularly to the building. This requirement shall not apply to *large retail establishments*.

Diagram 142-04C

Industrial Facade Planting Areas

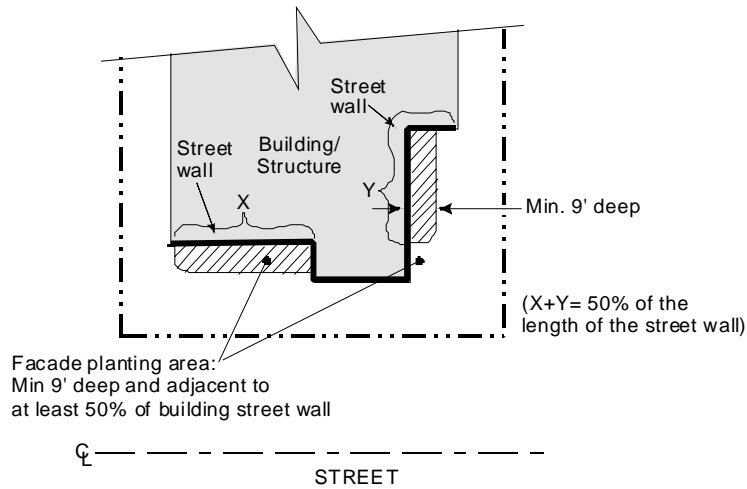
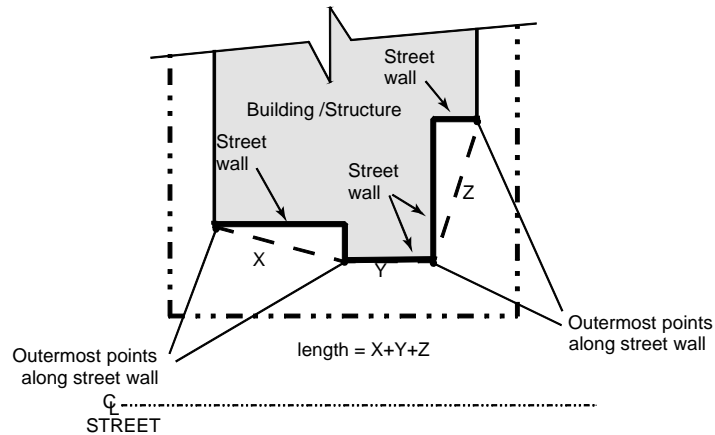


Diagram 142-04D

Industrial Facade Area Street Wall Length



The facade planting area shall be planted with a combination of trees and shrubs that achieves 0.5 points per square foot. Trees within this area must have a typical growth rate that can achieve a height of at least 20 feet within 8 years of being planted. Shrubs at maturity shall achieve a minimum height of 4 feet. In lieu of meeting the facade planting area and point requirements, the *applicant* may do one of the following:

- (A) Increase the required perimeter planting area width to 10 feet and the required *street yard* plant points to 0.1; or
 - (B) Place a minimum 6-foot-high solid wall between the *setback line* and the front of the *structure* that shall extend along the full width of the property, except at access points. The applicant shall provide tree plantings equal to one half of the required facade area planting points between the wall and the building street wall.
- (3) Where loading docks are located along more than 25 percent of the *street wall* length, all *street yard* plant points shall be increased to 0.1 per square foot of *street yard* area.
 - (4) For industrial uses in industrial zones, a planting area of at least 5 feet wide shall be provided within the *remaining yard*. This area shall be measured perpendicularly to the *property lines* adjacent to the *remaining yard* and shall abut the *property line*. The required planting points shall be placed within this 5 feet wide area.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000; amended 6-19-2000 by O-18814 N.S.; amended 6-19-2000 by O-18814 N.S.)

(Amended 6-15-2007 by O-19624 N.S.; effective 7-15-2007.)

§142.0406 Vehicular Use Area Planting Area and Point Requirements

- (a) When new *vehicular use areas* are subject to this section in accordance with Table 142-04A, the planting area, the plants necessary to achieve the number of plant points, and the trees required in Table 142-04D shall be provided. The required planting area is determined by multiplying the square footage of the *vehicular use area* located within the *street yard* and outside the *street yard* by the percentage shown in Table 142-04D. The required plant points are determined by multiplying the square footage of the *vehicular use area* located within the *street yard* and outside the *street yard* by the points shown in the Table 142-04D. The required area, points, and trees shall be located within the *vehicular use area* unless listed otherwise in the table.

Table 142-04D
Vehicle Use Area Requirements

Size of Proposed Vehicular Use Area	Planting Area Required ^{(1), (2), (4)}		Plant Points Required ^{(1), (2)}		Tree Distribution Requirement ⁽¹⁾
	<i>Street yard</i>	<i>Outside the street yard</i>	<i>Street yard</i>	<i>Outside the street yard</i>	
Less than 6,000 square feet	40 Square Feet per Tree	40 Square Feet per Tree	0.05 points	0.05 points	1 tree within 30 feet of each parking space ⁽³⁾
6,000 square feet or greater	5% of vehicular use area located in the street yard	3% of vehicular use area located outside the street yard	0.05 points	0.03 points	1 tree within 30 feet of each parking space ⁽³⁾

Footnotes to Table 142-04D

- 1 See Section 142.0407(a)
- 2 See Section 142.0407(b)
- 3 See Section 142.0407(c)
- 4 See Section 142.0407(d)

- (b) All planting areas and plants in or adjacent to a *vehicular use area* shall be protected from vehicular damage by providing a raised curb or wheel stop of at least 6 inches in height. Where the end of parking spaces abut a planting area that is less than 5 feet in width, 6-inch-high wheel stops or curbs shall be placed within the parking spaces, 2 feet from the edge of the planting area.
- (c) A *vehicular use area* located within the *street yard* shall be separated from the curb in the *public right-of-way* by a required planting area totaling at least 8 feet in width, measured perpendicularly to the *public right-of-way*. This planting area shall meet the following requirements:
 - (1) The planting area shall extend along, and directly abut, the entire length of the *vehicular use area* except at vehicle or pedestrian access points.
 - (2) The planting area shall be planted to screen the *vehicular use area* with densely foliated, evergreen species that achieve a minimum height of 30 inches within 2 years of installation over at least 80 percent of the length of the required planting area. The *screening* may also be achieved through the use of berms, solid fencing, walls, plant material, or any combination of these that provides an equivalent *screen*.

- (3) The width of this planting area may be reduced to 3 feet if a solid wall of at least 3 feet in height is provided for the entire length of the *vehicular use area*—for sites under 5 acres. Sites that are between 5 and 10 acres are required to provide the planting area buffer that is 8 feet. For sites over 10 acres, a planting area buffer must be 12 feet in width with a potential reduction to 8 feet with a 3 feet high wall. The remaining planting area shall be located between the wall and curb within the *public right-of-way* and planted with the equivalent of 1 shrub for every 10 feet of wall length. These shrubs shall achieve at least 18 inches in height of maturity.
- (4) A point score in excess of that required for a *vehicular use area* may be used to reduce the planting area required for that *vehicular use area* at a rate of one square foot of area reduction for each excess point provided. The maximum planting area reduction allowed by this section is 25 percent of the total *vehicular use area* required.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 6-15-2007 by O-19624 N.S.; effective 7-15-2007.)

§142.0407 Additional Vehicular Use Area Requirements

- (a) At least one-half of the required plant points are to be achieved with trees. If planting area and plants are provided within the boundaries of the *vehicular use area* to meet other requirements of this division including revegetation, *street yard*, and *remaining yard* requirements, they may be used to satisfy the planting area and planting points required by Table 142-04D.
- (b) For a *vehicular use area* that is less than 6,000 square feet in size, the required plant points may be provided within 5 feet of the edge of the *vehicular use area*. For a *vehicular use area* 6,000 square feet or greater in size, the required planting area, points, and trees shall be located in the *vehicular use area* except for areas designated for commercial vehicle parking spaces, loading areas, and loading area accessways that are used for the distribution of materials and goods. They may be located within 5 feet of the edge of the *vehicular use area* designated for these purposes.
- (c) The minimum tree size used in a *vehicular use area* shall be 24-inch box, or if palm trees are used they shall be 8-foot brown trunk height. If palm trees are used to meet the *vehicular use area* tree requirements, a palm tree shall be within 15 feet of each parking space.
- (d) Landscaped areas may be counted toward the required planting area if they comply with the following:
 - (1) The planting area is bounded on two or more sides by parking spaces or parking accessways, or is within 10 feet of the side of any parking space, and

- (2) The planting area is greater than 30 square feet in size and has no dimension less than 3 feet.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§142.0408 Temporary Vehicular Use Area Requirements

When new temporary *vehicular use areas* are subject to this section in accordance with Table 142-04A, the planting requirements of this section shall apply.

- (a) *Vehicular use areas* that have a specified time limit for discontinuance that is less than 5 years after the date of Building Permit issuance are considered temporary vehicle use areas.
- (b) Temporary *vehicular use areas* shall provide a 3-foot-wide planting area between the *public right-of-way* and the *vehicular use area*. This area shall be planted with evergreen shrubs that achieve a minimum height of 30 inches within 2 years of installation over at least 50 percent of the required planting area. The remaining area shall be covered with mulch. Vehicle access into this planting area shall be prevented by a 6-inch-high curb or wheel stops placed within the parking spaces, 2 feet from the edge of the planting area. The planting area may be paved at designated vehicle access points.
- (c) *Vehicular use areas* that do not have a specified time limit for discontinuance or that are proposed to exist more than 5 years after the date of Building Permit issuance, are subject to the requirements for a permanent *vehicular use area* contained in Sections 142.0406 and 142.0407.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§142.0409 Street Tree and Public Right-of-Way Requirements

- (a) Street Tree Requirements

When new *structures*, additions to *structures*, *condominium conversions*, or new *vehicular use areas* are subject to this section in accordance with Table 142-04A, street trees within the *parkway* shall be provided in accordance with the following regulations.

- (1) **Street Tree Quantity.** Street trees shall be planted between the curb and *abutting property line*. The number of required street trees shall be calculated at the rate of one 24-inch box tree for every 30 feet of *street frontage*. The installed tree spacing may be varied to accommodate site conditions or design considerations; however, the number of trees required for each *street frontage* on a *lot* bounded by more than one *street* shall be planted along the corresponding *street frontage*. Where site conditions do not allow the installation of the street trees required by this section in the *parkway*, trees may be located on the private property within 10 feet of the property line

along that street frontage. Where palm trees are proposed to satisfy this requirement, they shall be planted at a rate of one 10-foot brown trunk height palm for each 20 feet of *street frontage*. For projects in the IL and IH zones that have loading docks along more than 25 percent of the building *street wall*, the street tree requirement shall be increased to the rate of one 24-inch box tree for every 20 feet of *street frontage* or one 10-foot brown trunk height palm for each 10 feet of *street frontage*.

(2) Street Tree Locations

- (A) Street trees shall be located 7 feet from the face of curb on *streets* classified in the applicable *land use plan* as major *streets*, primary arterials, or expressways that have a posted speed of 50 miles per hour or greater. For all other *street* classifications, street trees shall be located no closer than 30 inches to the face of curb or within median islands, no closer than four feet to the face of curb.
- (B) Street trees shall be separated from improvements by the minimum distance shown in Table 142-04E.

Table 142-04E
Minimum Tree Separation Distance

Improvement	Minimum Distance to Street Tree
Traffic signal, Stop Sign	20 feet
Underground Utility Lines	5 feet
Above Ground Utility <i>Structures</i> (Transformers, hydrants, utility poles, etc.)	10 feet
Driveways	10 feet
Intersections (intersecting curb lines of two streets)	25 feet

- (C) Trees shall be selected and located so that at maturity they do not cause damage or conflict with overhead utility lines.
- (3) Street Tree Species Selection. Trees shall be selected in accordance with landscape standards of the Land Development Manual.
- (b) Additional *Public Right-of-Way* Regulations
- (1) Areas within the *public right-of-way* that are not paved for required pedestrian walks or for vehicle access shall be planted or covered with mulch, unattached unit pavers, or other permeable material acceptable to the City.

- (2) Plant material, other than trees, within the *public right-of-way* that is located within *visibility areas* shall not exceed 24 inches in height, measured from the top of the adjacent curb.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 7-5-2006 by O-19505 N.S.; effective 8-5-2006.)

EDITORS NOTE: The Land Development Manual includes:

Coastal Bluffs and Beaches Guidelines

Biology Guidelines

Historical Resources Guidelines

Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

§142.0410 Previously Conforming Properties Landscape Requirements

- (a) When additions to *structures* or additional *structures* on developed properties are subject to this section in accordance with Table 142-04A, they shall meet the requirements of this section. The required *street yard*, *remaining yard*, and *vehicular use area* planting areas and plant points for *previously conforming* properties are established in accordance with the following formula.
 - (1) Determine the percentage of increase in *gross floor area* for the *development* by dividing the proposed additional *gross floor area* by the existing *gross floor area*.
 - (2) Where the percentage of *gross floor area* increase is:
 - (A) 100 percent or greater, the *development* is subject to the full requirements for new *development*.
 - (B) 75 to 99 percent, the *development* is subject to the full requirements for street trees, the *street yard*, and the *vehicular use area* in the *street yard* and *remaining yard* for new *development*.
 - (C) 50 to 74 percent, the *development* is subject to the full requirements for street trees, the *street yard*, and the *vehicular use area* in the *street yard* for new *development*.

- (D) 1 to 49 percent, the *development* is subject to the full requirements for street trees and the *street yard* for new *development*.
 - (3) For properties that contain plant materials that will be retained, the planting area and number of points for the existing material will be credited towards the above requirements.
 - (b) When additions or modifications to existing permanent or temporary parking and *vehicular use areas* are subject to this section in accordance with Table 142-04A they shall meet the requirements of this section. The required *vehicular use area* planting area and plant points for *previously conforming* properties is established in accordance with the following formula.
 - (1) Determine the percentage of increase in parking spaces for the *development* by dividing the proposed increase in number of parking spaces by the existing number of parking spaces.
 - (2) Where the percentage of parking space increase is:
 - (A) 100 percent or greater, the *development* is subject to the full requirements for new *development*.
 - (B) 75 to 99 percent, the *development* is subject to the full requirements for street trees, the *street yard*, and the *vehicular use area* in the *street yard* and *remaining yard* for new *development*.
 - (C) 50 to 74 percent, the *development* is subject to the full requirements for street trees, the *street yard*, and the *vehicular use area* in the *street yard* for new *development*.
 - (D) 1 to 49 percent, the *development* is subject to the full requirements for street trees and the *vehicular use area* requirements for the additional *vehicular use area* only.
 - (3) For properties that contain plant materials that will be retained, calculate the planting area and number of points for the existing material and use this as a credit towards the above requirements.
- (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§142.0411 Revegetation and Erosion Control

- (a) Permanent Revegetation. All graded, disturbed, or eroded areas that will not be permanently paved or covered by structures shall be permanently revegetated and irrigated as shown in Table 142-04F and in accordance with the standards in the Land Development Manual.

Table 142-04F
Permanent Revegetation and Irrigation Requirements

Location of Disturbed Area	Slope of Disturbed Area	Required Irrigation System	Required Revegetation or Erosion Control
Within 100 feet of areas with native or naturalized vegetation	Less than 4:1 (4 horizontal feet to 1 vertical foot)	Automatic, above grade, temporary irrigation system	Native or naturalized hydroseed mix
	4:1 or greater with a slope height of 15 feet or less	Automatic, above grade, temporary irrigation system	Native or naturalized ground cover consisting of rooted cuttings or hydroseed mix
	4:1 or greater with a slope height over 15 feet	Automatic, above grade, temporary irrigation system	Native or naturalized ground cover consisting of rooted cuttings or hydroseed mix, and native or naturalized trees and shrubs (minimum 1 gallon size) planted at a minimum rate of one plant per 100 square feet of disturbed area
100 feet or further from areas with native or naturalized vegetation	Less than 4:1 (4 horizontal feet to 1 vertical foot)	Automatic, below grade, permanent system or automatic, above grade, temporary irrigation system	Hydroseed, mulch, or equivalent
	4:1 or greater with a slope height of 15 feet or less	Automatic, below grade, permanent irrigation system	Drought tolerant groundcover consisting of rooted cuttings or hydroseed mix
	4:1 or greater with a slope height over 15 feet	Automatic, below grade, permanent irrigation system	Drought tolerant groundcover consisting of rooted cuttings or hydroseed mix, and drought tolerant trees and shrubs (minimum 1 gallon size) planted at a minimum rate of one plant per 100 square feet of disturbed area

(b) Temporary Revegetation. Graded, disturbed, or eroded areas that will not be permanently paved, covered by *structure*, or planted for a period over 90 calendar days shall be temporarily revegetated with a non-irrigated hydroseed mix, ground cover, or equivalent material. Temporary irrigation systems may be used to establish the vegetation.

(c) All required revegetation and erosion control shall be completed within 90 calendar days of the completion of *grading* or disturbance.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

EDITORS NOTE: The Land Development Manual includes:

Coastal Bluffs and Beaches Guidelines

Biology Guidelines

Historical Resources Guidelines

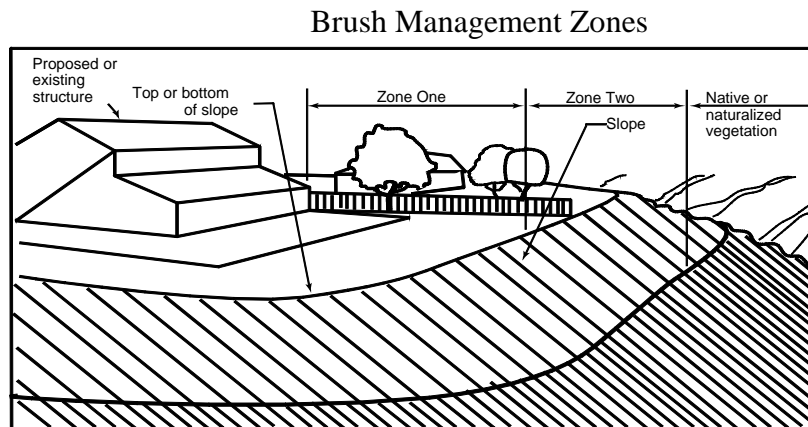
Submittal Requirements for Deviations within the Coastal Overlay Zone

See RR-292248 for the Coastal Bluffs and Beaches Guidelines of the Land Development Code; RR-292249 for the Biology Guidelines of the Land Development Code; RR-292250 for the Historical Resources Guidelines of the Land Development Code; RR-292251 for the Submittal Requirements for Deviations within the Coastal Overlay Zone of the Land Development Code.

§142.0412 Brush Management

- (a) Brush management is required in all base zones on the following types of premises:
- (1) Publicly or privately owned *premises* that are within 100 feet of a *structure* and contain native or naturalized vegetation.
 - (2) Except for *wetlands*, *environmentally sensitive lands* that are within 100 feet of a *structure*, unless the Fire Chief deems brush management necessary in *wetlands* in accordance with Section 142.0412(i). Where brush management in *wetlands* is deemed necessary by the Fire Chief, that brush management shall not qualify for an exemption under the Environmentally Sensitive Lands Regulations, Section 143.0110(c)(7).
- (b) Brush Management Zones. Where brush management is required, a comprehensive program shall be implemented that reduces fire hazards around *structures* by providing an effective fire break between all *structures* and contiguous areas of native or naturalized vegetation. This fire break shall consist of two distinct brush management areas called “Zone One” and “Zone Two” as shown in Diagram 142-04E.

Diagram 142-04E



- (1) Brush management Zone One is the area adjacent to the *structure*, shall be least flammable, and shall consist of pavement and permanently irrigated ornamental planting. Brush management Zone One shall not be allowed on slopes with a gradient greater than 4:1 (4 horizontal feet to 1 vertical foot) unless the property that received *tentative map* approval before November 15, 1989. However, within the Coastal Overlay Zone *coastal development* shall be subject to the encroachment limitations set forth in Section 143.0142(a)(4) of the Environmentally Sensitive Lands Regulations.

- (2) Brush management Zone Two is the area between Zone One and any area of native or naturalized vegetation and shall consist of thinned, native or non-irrigated vegetation.
- (c) Except as provided in Sections 142.0412(f) or 142.0412(i), the width of Zone One and Zone Two shall not exceed 100 feet and shall meet that shown in Table 142-04H. Both Zone One and Zone Two shall be provided on the subject property unless a recorded easement is granted by an adjacent property owner to the owner of the subject property to establish and maintain the required brush management zone(s) on the adjacent property in perpetuity.

Table 142-04H
Brush Management Zone Width Requirements

Criteria		
	Zone Widths	
Zone One Width	35 ft.	
Zone Two Width	65 ft.	

- (d) Brush management activities are prohibited within coastal sage scrub, maritime succulent scrub, and coastal sage-chaparral habitats from March 1 through August 15, except where documented to the satisfaction of the City Manager that the thinning would be consistent with conditions of species coverage described in the City of San Diego's MSCP Subarea Plan.
- (e) Where Zone One width is required adjacent to the *MHPA* or within the Coastal Overlay Zone, any of the following modifications to development regulations of the Land Development Code or standards in the Land Development Manual are permitted to accommodate the increase in width:
 - (1) The required front *yard setback* of the base zone may be reduced by 5 feet,
 - (2) A sidewalk may be eliminated from one side of the *public right-of-way* and the minimum required *public right-of-way* width may be reduced by 5 feet, or
 - (3) The overall minimum pavement and *public right-of-way* width may be reduced in accordance with the Street Design Standards of the Land Development Manual.
- (f) The Zone Two width may be decreased by 1½ feet for each 1 foot of increase in Zone One width up to a maximum reduction of 30 feet of Zone Two width.

(g) Zone One Requirements

- (1) The required Zone One width shall be provided between native or naturalized vegetation and any *structure* and shall be measured from the exterior of the *structure* to the vegetation.
- (2) Zone One shall contain no habitable *structures*, *structures* that are directly attached to habitable *structures*, or other combustible construction that provides a means for transmitting fire to the habitable *structures*. *Structures* such as *fences*, walls, palapas, play structures, and nonhabitable gazebos that are located within brush management Zone One shall be of noncombustible construction.
- (3) Plants within Zone One shall be primarily low-growing and less than 4 feet in height with the exception of trees. Plants shall be low-fuel and fire-resistive.
- (4) Trees within Zone One shall be located away from *structures* to a minimum distance of 10 feet as measured from the *structures* to the drip line of the tree at maturity in accordance with the Landscape Standards of the Land Development Manual.
- (5) Permanent irrigation is required for all planting areas within Zone One except as follows:
 - (A) When planting areas contain only species that do not grow taller than 24 inches in height, or
 - (B) When planting areas contain only native or naturalized species that are not summer-dormant and have a maximum height at plant maturity of less than 24 inches.
- (6) Zone One irrigation overspray and runoff shall not be allowed into adjacent areas of native or naturalized vegetation.
- (7) Zone One shall be maintained on a regular basis by pruning and thinning plants, controlling weeds, and maintaining irrigation systems.

(h) Zone Two Requirements

- (1) The required Zone Two width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is farthest from the habitable *structure*, to the edge of undisturbed vegetation.

- (2) No *structures* shall be constructed in Zone Two.
- (3) Within Zone Two, 50 percent of the plants over 24 inches in height shall be cut and cleared to a height of 6 inches.
- (4) Within Zone Two, all plants remaining after 50 percent are reduced in height, shall be pruned to reduce fuel loading in accordance with the Landscape Standards in the Land Development Manual. Non-native plants shall be pruned before native plants are pruned.
- (5) The following standards shall be used where Zone Two is in an area previously *graded* as part of legal *development* activity and is proposed to be planted with new plant material instead of *clearing* existing native or naturalized vegetation:
 - (A) All new plant material for Zone Two shall be native non-irrigated, low-fuel, and fire-resistive. No non-native plant material may be planted in Zone Two either inside the MHPA or in the Coastal Overlay Zone, adjacent to areas containing *sensitive biological resources*.
 - (B) New plants shall be low-growing with a maximum height at maturity of 24 inches. Single specimens of native trees and tree form shrubs may exceed this limitation if they are located to reduce the chance of transmitting fire from native or naturalized vegetation to habitable *structures* and if the vertical distance between the lowest branches of the trees and the top of adjacent plants are three times the height of the adjacent plants to reduce the spread of fire through ladder fueling.
 - (C) All new Zone Two plantings shall irrigated temporarily until established to the satisfaction of the City Manager. Only low-flow, low-gallonage spray heads may be used in Zone Two. Overspray and runoff from the irrigation shall not drift or flow into adjacent areas of native or naturalized vegetation. Temporary irrigation systems shall be removed upon approved establishment of the plantings. Permanent irrigation is not allowed in Zone Two.
 - (D) Where Zone Two is being revegetated as a requirement of Section 142.0411(a), revegetation shall comply with the spacing standards in the Land Development Manual. Fifty percent of the planting area shall be planted with material that does not grow taller than 24 inches. The remaining planting

area may be planted with taller material, but this material shall be maintained in accordance with the requirements for existing plant material in Zone Two.

- (6) Zone Two shall be maintained on a regular basis by pruning and thinning plants, controlling weeds.
- (7) Except as provided in Section 142.0412(i), where the required Zone One width shown in Table 142-04H cannot be provided on *premises* with existing *structures*, the required Zone Two width shall be increased by one foot for each foot of required Zone One width that cannot be provided.
- (i) The Fire Chief may modify the requirements of this section if the following conditions exist:
 - (1) In the written opinion of the Fire Chief, based upon a fire fuel load model report conducted by a certified fire behavior analyst, the requirements of Section 142.0412 fail to achieve the level of fire protection intended by the application of Zones One and Two; and
 - (2) The modification to the requirements achieves an equivalent level of fire protection as provided by Section 142.0412, other regulations of the Land Development Code, and the minimum standards contained in the Land Development Manual; and
 - (3) The modification to the requirements is not detrimental to the public health, safety, and welfare of persons residing or working in the area.
- (j) If the Fire Chief approves a modified plan in accordance with this section as part of the City's approval of a *development permit*, the modifications shall be recorded with the approved permit conditions.
- (k) For existing *structures*, the Fire Chief may require brush management in compliance with this section for any area, independent of size, location, or condition if it is determined that an imminent fire hazard exists.
- (l) Brush management for existing *structures* shall be performed by the owner of the property that contains the native and naturalized vegetation. This requirement is independent of whether the *structure* being protected by brush management is owned by the property owner subject to these requirements or is on neighboring property.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

(Amended 9-19-2005 by O-19413 N.S.; effective 10-19-2005.)

(Amended 6-15-2007 by O-19624 N.S.; effective 7-15-2007.)

§142.0413 Water Conservation

- (a) Lawn Area Requirements. Lawn areas shall not exceed 10 percent of the planting area on a *premises*, excluding required common areas, active recreation areas, and areas located within the *public right-of-way* between the curb and public sidewalk. This restriction does not apply to *single dwelling unit* residential uses in residential zones.
- (b) Mulch Requirements. All required planting areas shall be covered with mulch to a minimum depth of 2 inches, excluding slopes requiring revegetation and areas planted with ground cover. All exposed soil areas without vegetation shall also be mulched to this minimum depth.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)